

REPORT TO: POLICY AND RESOURCES COMMITTEE – 21ST OCTOBER 2002

REPORT ON: COMMUNITY MEDIATION PROJECT

**REPORT BY: DIRECTOR OF HOUSING, DIRECTOR OF CORPORATE PLANNING
AND DIRECTOR OF NEIGHBOURHOOD RESOURCES AND
DEVELOPMENT**

REPORT NO.: 174-2002

1. PURPOSE OF REPORT

- 1.1. To outline to Committee the proposed model for a community mediation service for the residents of Dundee.

2. RECOMMENDATIONS

- 2.1. Remit the Director of Housing to negotiate a Service Level Agreement with SACRO for the provision of a citywide community mediation service.
- 2.2. Agree the proposed funding package as outlined at para. 9.

3. FINANCIAL IMPLICATIONS

- 3.1. It is proposed to meet the costs of this project from the Council's Supporting People grant from April 2003 onwards. A bid for "pipeline" funding has been submitted and the Scottish Executive have indicated that Councils will be advised of their budgets in December 2002. It is unclear at this time if the Supporting People grant will be sufficient to fund 100% of the projects costs.

An alternative funding package is outlined below, at 3.2., should Supporting People funding be unavailable, or insufficient, to meet the costs of the project.

- 3.2. Project start up costs will be approximately £12 K. and annual operating costs will be £130 K. per annum. If Supporting People funding is unavailable or insufficient, funding for the project for the initial three years will be on the basis of BNSF covering 100% of start up costs and 38% of annual running costs, Communities Scotland and local Housing Associations making a total contribution of £30 K. per annum to annual running costs, and the HRA contributing £50 K. per annum.
- 3.3. If Supporting People funding is available it will commence in April, 2003 and it is proposed that funding for the period 2002-April, 2003 comprises the start up costs and pro rata running costs, as outlined at 3.2 above.

4. LOCAL AGENDA 21 IMPLICATIONS

- 4.1. The key theme of people living without fear of personal violence from crime or because of their personal beliefs, race, gender or sexuality is addressed by the introduction of a community mediation scheme. The scheme, by addressing low level disputes at an early stage, will reduce the instances of serious anti-social and criminal behaviour.

5. **EQUAL OPPORTUNITIES IMPLICATIONS**

- 5.1. The proposed scheme will address the quality of life in housing in Dundee providing access to an independent community mediation service for all citizens of Dundee.

6. **BACKGROUND**

- 6.1. A comprehensive review of the Housing Department's Anti-Social Behaviour Policy and Procedures was carried out in March 2001 by the Sociable Neighbourhoods National Co-ordinator (COSLA/Scottish Executive).
- 6.2. The Co-ordinator's report highlighted a range of good practice and innovation in policy and procedures within the Housing Department in response to instances of anti-social behaviour.
- 6.3. The only significant gaps in this service were highlighted as:
 - 6.3.1. The need for a specialist Anti-Social Behaviour Team.
 - 6.3.2. The lack of a mediation service to assist with low level neighbour disputes.
- 6.4. The Housing Anti-Social Behaviour Team (Report 261-2001, 18th June 2001) became operational in late November 2001 and has now been operational for approximately ten months.
- 6.5. The report establishing the Anti-Social Behaviour Team remitted the Director of Housing and Director of Neighbourhood Resources and Development to bring forward a further report on the introduction of a citywide mediation service.

7. **MAIN TEXT**

- 7.1. Mediation has, for some time, been promoted by the Scottish Executive and COSLA as good practice in dealing with low level neighbour disputes.
- 7.2. The majority of Scottish Local Authorities include the use of mediation services in their responses to complaints of anti-social behaviour and neighbour nuisance. Success rates are high when mediation is employed – as high as 90% where face to face mediation takes place.
- 7.3. Most Local Authorities offering a mediation service do so via a third party agent with SACRO (Safeguarding Communities, Reducing Conflict) the leading specialist provider in this field. Independent mediation services are successful and are a relatively inexpensive means of addressing low level neighbour disputes.
- 7.4. Statistics from the first ten months of operation of the Anti-Social Behaviour Team confirm that approximately 50% of all received complaints regarding anti-social behaviour could be termed low level neighbour disputes and include one against one complaints, noise nuisance, intra family disputes often regarding children, boundary disputes, etc.
- 7.5. Such complaints will not be resolved by means of formal legal action but nevertheless are expensive in terms of staff time and can reduce the quality of life for those involved.

8. **PROPOSED MODEL**

- 8.1. The Director of Housing recently commissioned a study on the need for mediation services in Dundee. SACRO's Consultancy Report for Dundee City Council outlined the level of referrals expected in Dundee based on known information from a variety of sources.
- 8.2. It is proposed to introduce a citywide mediation service operating from an accessible location during 2002/03. It is proposed, given their extensive expertise in this work, that SACRO be engaged to provide the Dundee Community Mediation Service. The independence of the service developer from the Council is seen as an advantage when seeking to engage service users.
- 8.3. SACRO will employ a small number of paid staff and will recruit a group of volunteer mediators who will deliver the majority of the operational service. Volunteers will be fully trained to allow them to deal with referrals. It is projected that there will be approximately 150 referrals for mediation from the Housing Department per annum. In addition referrals will also come from Tayside Police, other Council Departments, and as self referrals with the total volume of referrals likely to be 240 per annum approximately.
- 8.4. Special attention will be paid to the Hilltown and Kirkton areas. We will hold surgeries in these areas to raise awareness of and promote the Community Mediation Scheme. In addition, we will endeavour to make use of local community facilities in Hilltown and Kirkton areas in the delivery of the mediation service where appropriate.
- 8.5. It is proposed that the Director of Housing is remitted to negotiate a Service Level Agreement with SACRO to provide Dundee Community Mediation Service.
- 8.6. SACRO have recently been commissioned by Dundee City Council to provide a Mediation and Reparation Scheme as part of the Youth Justice Strategy. Given the provider of this service there would be value in operating both this and the Community Mediation Service from one location, currently Market Mews.

9. **FUNDING PACKAGE**

- 9.1. Funding for the project is being pursued via Supporting People. If successful the project will be funded from this source regardless of geographic location.
- 9.2. An analysis of low level neighbour complaints (noise, nuisance, children related issues, vandalism, etc.) within the Council housing sector shows that citywide there are approximately 1,200 such complaints per annum. Of this total complaints relating to the Hilltown and Kirkton areas account for approximately 40%. Due to the level of potential referrals from Hilltown and Kirkton it is proposed to part fund the project from the Better Neighbourhood Services Fund if Supporting People monies are not available or are insufficient.
- 9.3. In recognition of the fact that not all anti-social behaviour or low level complaints will relate to Council housing it is proposed that Communities Scotland "Wider Action" Fund and local Housing Associations contribute a total of £30 K. per annum to the annual running costs of the project. The Housing Revenue Account will contribute £50 K. per annum to the running costs of the Community Mediation service.

These contributions may be reduced subject to the success of the Supporting People funding bid.

10. **CONSULTATION**

- 10.1. All Chief Officers, Dundee Federation of Tenants Association and stakeholders in Hilltown and Kirkton areas have been consulted in the preparation of this report.

Some doubts were expressed in the Hilltown meeting about the effectiveness of this model. The Council has come to the view that, by developing a partnership with SACRO who have significant experience of operating a successful project of a similar nature in Fife, that Dundee will benefit from this experience and that the difficulties faced by previous Mediation Initiatives are unlikely to be repeated in this approach.

The Kirkton meeting was very positive and in the overall balance of consultation, there was stakeholder support for the initiative to tackle what is clearly a difficult issue.

11. **BACKGROUND PAPERS**

- 11.1. Report to Housing Committee and Personnel and Management Services Committee (261-2001, 18th June 2001).
- 11.2. Copies of the Sociable Neighbourhood National Co-ordinator's report on the Housing Department's Anti-Social Behaviour Policy and Procedures and SACRO's Consultancy Report on mediation services are available in the members' lounge and in addition copies have been passed to each Group Secretary.

Elaine Zwirlein
DIRECTOR OF HOUSING

Signed_____

Date_____

Chris Ward
DIRECTOR OF CORPORATE PLANNING

Signed_____

Date_____

Fraser Patrick
**DIRECTOR OF NEIGHBOURHOOD
RESOURCES AND DEVELOPMENT**

Signed_____

Date_____